

Appl. No. 09/909,288  
Atty. Docket No. CM2506  
Amtd. dated August 7, 2006  
Reply to Office Action of 4/6/06  
Customer No. 27752

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REMARKS/ARGUMENTS

Claims 60, 64 and 65 have been cancelled herewith, without prejudice, merely to reduce prospective issues on Appeal.

Claim 57 has been amended to recite the glycol ethers of Claim 62, and Claim 62 has been cancelled as redundant.

Claim 63 has been amended to depend from Claim 57.

Independent Claim 57 has been amended to recite that: the gum is xanthan (basis page 15, line 2); the clay is laponite (basis page 14, line 17); and that the platelet size maximum dimension is less than about 100 nm (basis page 14, line 25).

It is submitted that all amendments are fully supported and entry is requested.

Claims 57, 58 and 63 are now under consideration. Method Claims 30-35 were previously withdrawn from consideration.

Priority

The Examiner's request for certified copies of various priority documents (Office Action pages 2-3) is noted and will be handled separately from this Amendment.

Rejection Under 35 USC 112 Paragraph 1

Various claims stand rejected in the use of terminology related to the clay and/or clay particle size, for reasons of record at page 3 of the Office Action.

It is submitted that the recitation of laponite and its size ("maximum dimension") recitation at page 14 of the specification, and in the amended claims, fully meet §112, first paragraph. It is further submitted that any person "skilled in the art" would be fully informed how to make/use the claimed invention in this regard.

Withdrawn of the §112, first paragraph, rejections is respectfully requested.

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Rejections Under 35 USC 103

Claims 57, 58, 60 and 62-65 stand rejected under §103(a) over JP 60-141800 in view of US 5,202,050, JP 8151597 and US 6,194,362, for reasons of record at pages 5-9 of the Office Action.

Applicants respectfully traverse all rejections, to the extent they may apply to the claims as now amended.

The JP 60 document focuses on swellable clays and does not suggest their use with gums, especially xanthan, in the manner of the present invention. In this regard, JP 60 appears to be no more instructive than JP 8151597, fully discussed in response to the previous Office Action.

US '050 teaches a pH in the 5-11 range (column 7, line 56) which is below the range specified herein. While various solvents are disclosed at column 4, line 49 – column 5, line 27, organoamines, as employed herein, do not appear to be contemplated.

Again, the JP '597 document would appear to focus on clays and to avoid gums, in view of the "string pulling" problem discussed therein. To reiterate, briefly, the previous argument in the record: In view of JP '597's exposition of this "problem," no rationale for use of gums of any type with clays of any type would appear to afford grounds for combining JP 597 with any of the other cited documents.

US '362 teaches an in-use pH of about 7 to about 11 (column 15, lines 34-35). The compositions are designed to deliver good (glass) cleaning performance without filming/streaking. See column 1, lines 44-49. Various solvents are listed at column 14 – column 15, but organoamines do not appear to be contemplated.

While various optional ingredients are listed in '362 at columns 15-16, clay or clay/gum combinations do not appear to be suggested. Presumably, this is because the disclosed compositions are intended to have good filming/streaking characteristics on glass.

In summary, while various and sundry of the individual ingredients herein may be disclosed in the cited combination of documents, it is submitted that their combination in the manner suggested in the rejections is a matter of impermissible hindsight. This is especially true with regard to the cited "all-clay" Japanese documents. Moreover, even if

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combined, the pH, organamine/solvent plus perfume, spray droplet size system herein is not fairly suggested, in the sense of §103. Withdrawal of all rejections over this combination of documents is requested.

In light of the foregoing, early and favorable action on the amended claims is requested.

Respectfully submitted,

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Date: August 7, 2006  
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